

# AGENDA

## PLANNING COMMISSION REGULAR MEETING



Thursday, November 21, 2013  
7:00 p.m.

Shoreline City Hall  
Council Chamber  
17500 Midvale Ave N.

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00 p.m.
2. ROLL CALL	7:01 p.m.
3. APPROVAL OF AGENDA	7:02 p.m.
4. APPROVAL OF MINUTES	7:03 p.m.
a. September 5 Public Hearing	
b. October 3 Regular Meeting	

### Public Comment and Testimony at Planning Commission

*During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the commission.*

5. GENERAL PUBLIC COMMENT	7:05 p.m.
6. STUDY ITEMS	7:10 p.m.
A. <a href="#">Update on Planning for Full Commission Retreat in Spring 2014</a>	
• Staff Presentation	
• Public Comment	
7. DIRECTOR'S REPORT	7:30 p.m.
8. UNFINISHED BUSINESS	7:40 p.m.
9. NEW BUSINESS	7:45 p.m.
10. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:00 p.m.
A. Light Rail Station Area Planning Committee Update	
11. AGENDA FOR December 5, 2013	8:20 p.m.
12. ADJOURNMENT	8:22 p.m.

*The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236.*

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**DRAFT**

**CITY OF SHORELINE**

**SHORELINE PLANNING COMMISSION  
MINUTES OF REGULAR MEETING**

September 5, 2013  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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**Commissioners Present**

Chair Moss  
Vice Chair Esselman  
Commissioner Craft  
Commissioner Maul  
Commissioner Montero  
Commissioner Scully  
Commissioner Wagner

**Staff Present**

Steve Szafran, Senior Planner, Planning and Community Development  
Paul Cohen, Planning Manager, Planning and Community Development  
Lisa Basher, Planning Commission Clerk

**CALL TO ORDER**

Chair Moss called the regular meeting of the Shoreline Planning Commission to order at 7:12 p.m.

**ROLL CALL**

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Moss, Vice Chair Esselman, and Commissioners Craft, Maul, Montero, Scully and Wagner.

Mr. Cohen introduced Lisa Basher, who was recently hired as the Planning Commission Administrative Support Staff.

**APPROVAL OF AGENDA**

The agenda was accepted as presented.

**APPROVAL OF MINUTES**

The minutes of June 20, 2013 were adopted as submitted.

**GENERAL PUBLIC COMMENT**

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

**STUDY ITEM: RECONSIDERATION ON TRANSITION AREA SETBACK AMENDMENT**

**Staff Presentation**

Mr. Cohen reviewed that the City Council adopted the Commercial Design Standards (Ordinance 654) on March 18, 2013 as recommended by the Commission, with just one exception related to front setbacks for buildings in commercial zones when across the street from single-family zones. They later reconsidered their decision and remanded only the provision related to transition standards back to the Commission for study, a public hearing and a recommendation.

Mr. Cohen reminded the Commission that the Town Center plan was adopted after a three-year public process, which included significant discussion about the transition area requirements. The Town Center Plan identifies a 15-foot setback from the right-of-way for commercial development that occurs across the street from a single-family zone. Consistent with the Town Center Plan, the Planning Commission recommended a setback of 15 feet for commercial development that is located across the street from single-family zones. He recalled that during the Planning Commission's public hearing on the draft standards, citizens expressed concern that a 15-foot setback requirement would significantly impact the Ronald Methodist Church's ability to move forward with its low-income housing project. They particularly expressed concern that the 15-foot setback requirement would diminish the site's development potential. The City Council voted to reduce the setback requirement from 15 feet to 0 feet, but later decided to reconsider their decision and remand the provision to the Planning Commission. Since that time, the church applied for a subdivision of commercial property, and their project has vested under the zero setback requirement.

Mr. Cohen advised that notice of the Planning Commission study session, as well as the October 3<sup>rd</sup> public hearing, were mailed to all parties of record and all owners of properties that are zoned either commercial or single-family residential and located directly across the street from each other.

Mr. Cohen provided a diagram to illustrate how the 0 and 15-foot setback requirements would be applied to commercial properties that are located across the street from single-family zones. He said staff recommends the Planning Commission support the City Council's recommendation of a 0 setback requirement. He noted that the transition area requirement for commercial properties that abut single-family properties calls for a 20-foot setback for the commercial building and a 15-foot setback for the single-family residential building for a total separation of 35 feet. Even with a 0 setback, commercial buildings that are located across the street from residential properties would be separated by a 60-foot right-of-way, as well as a 20-foot front setback for single-family residences for a total separation of 80 feet.

Commissioner Wagner recalled that in commercial zones on arterial streets, a 0 setback is desirable to encourage pedestrian interaction. Mr. Cohen agreed that the Commercial Design Standards related to street fronts are intended to encourage pedestrian interest and access. The design standards apply to all commercial development and talk about the types of things that must be located in the space between the building front and the sidewalk such as landscaping and plazas, to support pedestrian activity.

Chair Moss asked if developers would be required to have a 0 setback or if they could choose to have a greater setback. Mr. Cohen answered that 0 would be the minimum setback, but a developer could choose a greater setback. Commissioner Montero asked if a 0 setback would impact street parking. Mr. Cohen answered that street parking would still be allowed.

Vice Chair Esselman inquired about the width of the right-of-way on Linden Avenue North. Mr. Cohen answered that it is 60-feet wide.

Commissioner Craft asked staff to talk about how a 0 setback would impact the pedestrian component of the design elements. Mr. Cohen answered that even if the setback is 0, there would also be a requirement for window transparency on the façade, and the first floor would have to meet commercial building standards, as well. Awnings would be required, along with an 8-foot sidewalk and 5-foot amenity strip. Because the City's goal is to encourage on-street parking, an amenity strip could be modified to be just tree pits so that people do not have to walk through landscaping. He summarized his belief that the design standards, as currently adopted, will result in strong pedestrian environments.

Commissioner Maul expressed concern that the connection between pedestrians and commercial development would be weakened if buildings are setback 15 feet. He agreed with staff that a 60-foot right-of-way and a 20-foot residential setback would result in a minimum separation of 80 feet, which is significantly greater than the 35-foot separation that would be required between abutting commercial and single-family residential properties. He reminded the Commission that a step back would also be required for the portion of building taller than 35 feet to further protect residential properties located across the street. He said he would support a 0 setback. Mr. Cohen added that all multi-family development in commercial zones would be required to provide plazas or other open space that is visible and accessible from the street. Other building façade modulation would also be required for development in commercial zones.

Commissioner Montero asked if a 0 setback would result in less outdoor lighting. Mr. Cohen answered that the Commercial Design Standards include provisions for pedestrian-scale lighting. Commissioner Montero asked if the standards include provisions to shield the single-family properties that are located across the street. Mr. Cohen answered that right-of-way lighting will be dictated by the Engineering Development Manual, and all exterior lighting on private property must be shielded so that direct lighting cannot reach residential properties.

Chair Moss pointed out that the base height for the Neighborhood Business (NB), Community Business (CB), Mixed Business (MB) and Town Center (TC-1, 2 and 3) zones will not accommodate the 7-story building depicted in the diagram provided by staff. Mr. Cohen pointed out that each floor would be approximately 10 feet tall, with additional height for the ground floor to meet commercial standards. However, height is measured based on the slope of the lot, so there is potential for six floors in almost every situation in the CB and MB zones, and seven floors in the TC-1, 2 and 3 zones.

Chair Moss asked if circular driveways would be allowed in front of a mixed-use commercial business for a drop-off service. Mr. Cohen answered that vehicular circulation between the sidewalk and building frontage is discouraged. However, there is a provision that allows for departure from this code requirement if certain conditions can be met.

**Public Comment**

**Hiller West, Shoreline**, said he and his wife own a home in North City (12<sup>th</sup> Avenue Northeast), but they currently live in Astoria, Oregon. He said he is currently suffering the ill effects of out-of-scale development across the street from his home in North City. His property is zoned single-family and the property across the street is zoned multi-family and commercial. He encouraged the Commissioners to visit 12<sup>th</sup> Avenue Northeast between 175<sup>th</sup> and 180<sup>th</sup> Streets to view the development that has occurred in recent years. He felt this would give them some perspective for their current discussion.

Mr. West commented that a 0 setback for commercial development in transition zones across the street from single-family-zoned homes places commercial development at the property line. As currently adopted by the City Council, an increase in building height of 10 feet would be allowed just 10 feet back from the property line. Potentially, commercial buildings could be 45 feet in height, with a setback of 10 feet. He submitted that the impact of the reduced setback and increased building height could potentially be negative to single-family neighborhoods. Commercial development is not only the people-friendly retail that we all like to envision at the sidewalk level (small shops and cafes). It can also be concrete facades, parking structures, and box-type walls. He urged the Commission to stay with their original recommendation, favoring a 15-foot setback in transition zones. This would have the added benefit of reducing building mass further. If a 15-foot setback is adopted by the City Council based on the Commission's recommendation, it could always be evaluated and reconsidered in a year or two.

**Courtney Ewing, Shoreline**, said she lives at 179<sup>th</sup> and Linden Avenue and has a vested interest in the issue at hand. She expressed concern that allowing taller buildings with 0 setback could reduce the morning light onto residential properties. She also expressed concern that existing commercial buildings could tear down a wall and push clear out to the street. This could have a significant impact to residential properties, as well. She recalled that the stagnant commercial growth in Shoreline was discussed at the last City Council meeting. The potential additional square footage allowed by a 0 versus 15-foot setback was specifically noted. She questioned how many applications the City has received for commercial development based on the current 0 setback.

**Dave Hinez, Shoreline**, said he lives at 178<sup>th</sup> and Linden Avenue. He noted that there is just 35 feet from the center of the road to the existing single-family homes. He expressed concern that allowing commercial development up to the property line and the fact that Ronald Methodist Church's application is already vested seems to be putting businesses ahead of people. He pointed out that there are hundreds of high school students walking up and down Linden Avenue during lunch time. An 8-foot sidewalk is insufficient in this location. He questioned how commercial loads could be safely dropped off at retail businesses if there is no setback requirement. The trucks would have to park in the street.

**Continued Staff and Commission Discussion**

Mr. Cohen pointed out that the heights allowed in commercial zones have not been changed. He advised that the City has had numerous conversations and pre-application meetings with potential

developers since the adoption of the new standards in April of 2013, but none were required to use the new Commercial Design Standards.

Commissioner Craft asked staff to speak to Mr. Hinez concern about commercial loading on the street and what the code suggests would be the most appropriate way to do that. Mr. Cohen said that, at this time, trucks would not be allowed to park in the middle of the street to unload goods to a commercial establishment. However, when there is a curb and on-street parking, the City allows designated load/unload zones. If that is not possible, the City would require that loading and unloading take place on site.

Commissioner Wagner cautioned the Commission to not focus their discussion on the impacts of a single development (Ronald Methodist Church). Instead, they should focus on the overall vision for the City and how the 0 setback would be applied in all commercial zones.

Commissioner Scully said he would like to see more flexibility throughout the transition area standards. He commented that there are some occasions when a 15-foot setback makes sense, and other occasions when a 0 lot line would be more appropriate. Based on what he has heard, he said he is not inclined to support changing the Commission's recommendation from 15 feet. He referred to Marlboro Street in Boston, which is used for gardens. The mandatory 15-foot setback has resulted in flower beds on private property. There are also examples in Seattle where the 15-foot setback is used for gathering areas. He referred to Mr. West's comment regarding the width of the sidewalk, and noted that the 8-foot sidewalk provided in new developments in Seattle is used for transit and people will not generally slow down and mingle. However, people might linger on a 15-foot setback that has landscaping and benches. He also pointed out that the visual impact looking across the street from a residential property to a 0-lot-line commercial building would be significant, even with an 80-foot separation. He summarized that, while he supports density, he does not believe that foisting this significant visual impact on existing single-family residents will aid the City in the long run.

Commissioner Wagner commented that while she appreciates the comments about sidewalk widths, it is not part of the discussion at hand. She suggested the Commission consider the need for predictability. She explained that Shoreline has had trouble attracting developers because the regulations and standards change too frequently. While there is not one right answer, they must be very sensitive to the City's long-term attractiveness to developers. She cautioned against changing codes frequently to address public concern about a single project since the changes can drastically impact other commercial properties in the City.

Chair Moss summarized that a public hearing is set for October 3<sup>rd</sup>, at which the public will be invited to offer testimony that will go forward as part of the record. She encouraged interested citizens to attend and advised that a notice of the hearing would be published on the Planning Commission page of the City's website.

## **DIRECTOR'S REPORT**

Mr. Cohen reported that City staff has conducted three pre-application meetings for potential multi-family developments with some commercial space. One potential project would be located at 180<sup>th</sup>

Street and Midvale Avenue (Interurban Building site). The applicant is proposing commercial space along Midvale Avenue, with live/work lofts along 180<sup>th</sup> Street. The project would provide upwards of 165 residential units and under building parking would be provided. A second potential project would develop the entire Denny Triangle with approximately 300 residential units on top of structured parking. This project is related to the City's partial street vacation of Westminster Way to shrink the width of the street, provide angle parking, and accommodate more street improvements. A third potential project would be located at 205<sup>th</sup> Street and 19<sup>th</sup> Avenue and would consist of about 100 residential units. He noted that all three projects are in the conceptual phase, and all would be required to meet the Commercial Design Standards. He noted that although the project at the Denny Triangle would be allowed a 0 setback, the developer is actually proposing to set the building back 20 feet to reduce the number of step backs required.

Mr. Cohen reported that the U.S. Biotek Building at 160<sup>th</sup> Street and Linden Avenue is currently under construction. The existing Thai Restaurant and 7-11 would remain on the site for the time being, but full site development would be done around the two existing businesses. He also advised that construction has started on the new International Community Health Center at 167<sup>th</sup> Street and Aurora Avenue North. The project at 152<sup>nd</sup> Street and Aurora Avenue North is also moving forward. In addition, the City has issued a number of demolition and building permits for redevelopment in the single-family zones.

Mr. Cohen announced that the American Planning Association Conference is scheduled for October 2<sup>nd</sup> and 3<sup>rd</sup>. He invited interested Commissioners to contact staff so appropriate arrangements can be made.

Mr. Cohen advised that staff has proposed \$180,000 in the 2014 budget for the 145<sup>th</sup> Street Station Area Planning. He noted that a number of visioning workshops have been sponsored by other groups throughout the community, and the City will conduct its own visioning workshop on September 19<sup>th</sup>. It is hoped that the City's workshop will consolidate the work done at the previous workshops. Commissioner Scully asked that staff send emails to the Commissioners to remind them of special events.

Mr. Cohen reported that the City Council will begin their review of the Draft Environmental Impact Statement (EIS) for the light rail project. They anticipate that the Sound Transit Board will make their selection alternatives for stations in October.

Commissioner Montero asked for an update on the final phase of the Aurora Avenue North Project. Mr. Cohen answered that the City has obtained the necessary funding and dedicated right-of-way, and the project is currently in the planning and design stage.

## **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

### **Light Rail Station Area Planning Committee Report**

Commissioner Maul reported that the Light Rail Station Area Planning Committee attended two visioning/planning workshops, which were both well attended. A number of people provided good and positive input. Commissioner Scully added that many people have concerns about potential impacts, but



most are excited about the project. No unforeseen concerns were raised, but the comments will help the City focus future discussions.

Commissioner Craft announced that at their September 16<sup>th</sup> meeting, the City Council will adopt the study area boundaries and comment on the Draft EIS. Mr. Szafran explained that in order to adopt the study area boundaries, the City Council must change the Comprehensive Plan Land Use Map to replace the circles with the Land Use and Mobility Study Areas. It is anticipated that in conjunction with adoption of the study area boundaries, the City Council would also amend the 2013 Comprehensive Plan amendment docket to include this proposed change.

Commissioner Craft announced that in lieu of the Commission's regular meeting on September 19<sup>th</sup>, the City will conduct a Light Rail Station Area Visioning Workshop at City Hall. This will give the Commissioners an opportunity to listen to community feedback. He also announced that the newly-formed 145<sup>th</sup> Committee is scheduled to meet on September 18<sup>th</sup> at Aroma Coffee to discuss the Draft EIS comments. He noted that information about all of the meetings is available on the City's website.

Commissioner Craft reported that a Design Dialogue Workshop will be held sometime in October, at which the consultants will refine the ideas that were captured during the visioning sessions into graphic representations of potential transit-oriented communities.

Chair Moss reminded the Commission that the Light Rail Station Area Planning Project will consume a significant amount of their time over the next few years. She reminded staff to forward the Commissioners all information about the various meetings related to the topic.

Commissioner Craft announced that the Light Rail Station Area Planning Committee report would be moved from the 1<sup>st</sup> meeting of each month to the 2<sup>nd</sup> meeting of each month so they can report on the activities that have occurred during the month. He also announced that the committee meetings have been moved to the 3<sup>rd</sup> Thursday of each month at either 4:00 or 6:00 p.m.

Commissioner Maul requested an update on the Point Wells property. Commissioner Montero advised that a new special interest group has been formed to oppose the Point Wells project, and he plans to attend their next meeting. Commissioner Scully added that oral arguments must be submitted by October 24<sup>th</sup>, and Save Richmond Beach and Innis Arden have asked the City to submit an amicus brief to support their position.

### **AGENDA FOR NEXT MEETING**

Mr. Szafran reminded the Commission that the September 19<sup>th</sup> meeting has been cancelled. He announced that a public hearing on the transition area setback amendment is scheduled for October 3<sup>rd</sup>. Also on 3<sup>rd</sup>, the Commission will have a study session to discuss potential marijuana code amendments. A public hearing on the marijuana code amendments is scheduled for October 17<sup>th</sup>.

### **ADJOURNMENT**

The meeting was adjourned at 8:20 p.m.

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Donna Moss  
Chair, Planning Commission

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Lisa Basher  
Clerk, Planning Commission

**TIME STAMP**  
**September 5, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**APPROVAL OF MINUTES: 1:00**

**GENERAL PUBLIC COMMENT: 1:10**

**STUDY ITEM: RECONSIDERATION ON TRANSITION AREA SETBACK AMENDMENT**

**Staff Presentation: 2:20**

**Public Comment: 31:09**

**Commission Discussion: 41:03**

**DIRECTOR'S REPORT: 49:38**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

**Light Rail Station Area Planning Committee Report: 58:15**

**AGENDA FOR NEXT MEETING: 1:06:47**

**ADJOURNMENT:**

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**DRAFT**

**CITY OF SHORELINE**

**SHORELINE PLANNING COMMISSION  
MINUTES OF REGULAR MEETING**

October 3, 2013  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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**Commissioners Present**

Chair Moss  
Vice Chair Esselman  
Commissioner Craft  
Commissioner Maul  
Commissioner Scully

**Staff Present**

Paul Cohen, Planning Manager, Planning and Community Development  
Steve Szafran, Senior Planner, Planning and Community Development  
Lisa Basher, Planning Commission Clerk

**Commissioners Absent**

Commissioner Montero  
Commissioner Wagner

**CALL TO ORDER**

Chair Moss called the regular meeting of the Shoreline Planning Commission to order at 7:02 p.m.

**ROLL CALL**

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Moss, Vice Chair Esselman, and Commissioners Craft, Maul, and Scully. Commissioners Montero and Wagner were absent.

**APPROVAL OF AGENDA**

Chair Moss noted that the September 5<sup>th</sup> meeting minutes were not included in the Commission's packet. Therefore, approval would be postponed until the next meeting. The remainder of the agenda was accepted as presented.

**APPROVAL OF MINUTES**

The minutes of July 18, 2013 were approved as submitted.

**GENERAL PUBLIC COMMENT**

Chair Moss reviewed the rules and procedures for public comment and testimony.

**Yoshiko Saheki, Shoreline**, said she lives in the Parkwood Neighborhood and was present to voice opposition to the City's endorsement of a 500-car parking structure for the future light rail station at 145<sup>th</sup> Street. She expressed her belief that such a large parking structure would blight the adjacent neighborhood and create more traffic through the surrounding neighborhoods where she lives. She pointed out that the City of Seattle has an ordinance that prohibits the construction of huge parking structures for its light rail stations. She voiced concern that if the light rail station is located at 155<sup>th</sup> Street, it would attract commuters from both Seattle and Shoreline. She said she is concerned about increased traffic through single-family residential neighborhoods, particularly Parkwood and Ridgecrest.

**Krista Tenney, Shoreline**, said she lives in the Highland Terrace Neighborhood. She asked if notification of the land-use change for the Denny's site was sent to residents of the surrounding residential neighborhoods that will be impacted by the change. She also asked about the proposed residential development near Shoreline Community College. She lives on Greenwood and must deal with traffic every hour of the day. She invited the Commissioners to visit her front yard to understand the impact of the traffic. She understands that the project will be a fabulous addition for the college, but the developer has still not addressed how the secondary intersection will impact the neighborhood.

Chair Moss asked Mr. Cohen to follow up with both Ms. Saheki and Ms. Tenney.

#### **PUBLIC HEARING: RECONSIDERATION OF TRANSITION AREA SETBACK AMENDMENT**

Chair Moss reviewed the rules and procedures for the public hearing and then opened the hearing. She clarified that the agenda item is a reconsideration of the transition area setback amendment, which applies to any commercially-zoned properties that are adjacent or across the street from low-density residential (R-4, R-6 and R-8) zones. She recalled that, a few months ago, the Commission forwarded a recommendation to the City Council that they adopt the transition area setback standards contained in the Town Center Subarea Plan to all commercial zones in the City. She reminded the Commission that the Town Center standards were adopted after a great deal of community input. The City Council did not adopt the Commission's recommendation, and a zero setback was established instead. The City Council received quite a lot of public comment about their decision, and they revisited the issue again at a subsequent meeting. They determined that the community had not had an opportunity express their opinions, and many citizens were not aware of the change. They remanded the issue back to the Commission for a public hearing, further discussion and a recommendation back to them.

Chair Moss recalled that the Commission has had some recent discussions about affordable housing, and a recent project recently came before them for review. While this is an important topic, the focus of the public hearing is to come up with a standard that would apply to all commercially-zoned properties in Shoreline. She noted that there are currently 85 residentially-zoned parcels that are located across the street or adjacent to commercially-zoned properties.

#### **Staff Presentation**

Mr. Cohen clarified that the topic of the public hearing is related only to front setbacks for commercial buildings that are located across the street from single-family residential zones. He explained that prior

to adoption of the 0-foot setback on March 18<sup>th</sup>, the City Council discussed the need to ensure there was adequate bulk and scale standards in place to protect the low-density residential properties from commercial development that is located across the street. At the same time, they recognized the need for more affordable housing and development potential in the City's commercial districts. In addition, the City Council indicated a visual preference for having buildings abutting sidewalks in commercial areas as an amenity.

Mr. Cohen reviewed that when the Town Center Subarea Plan and Development Code was originally discussed and adopted by the City Council, it included a 15-foot setback. The Planning Commission recommended that this standard be carried over to the larger commercial development code reform.

Mr. Cohen recommended that the Planning Commission support the City Council's adoption of a 0-foot front setback for all commercially-zoned development that is located across the street from R-4, R-6 and R-8 zones. He noted that the 0-foot setback is supported by Council Goal 1, which is to strengthen Shoreline's economic base. It also is supported by the associated Action Step 2, which is to implement efforts to make the permit process predictable, timely and competitive. He explained that allowing more development potential will help make the permit process more competitive, while not substantially decreasing the overall separation of buildings on both sides of a transition area.

Mr. Cohen advised that the Staff Report cites a number of Comprehensive Plan goals and policies related both to maximizing development potential in commercial zones and to maintaining, improving and protecting residential areas adjacent to commercial zones. On one hand, the Comprehensive Plan calls for buffering the visual impact on residential areas from commercial, office, industrial and institutional development. On the other hand, it contains policies that encourage commercial buildings to be sited at or near the public sidewalk. The Comprehensive Plan also encourages pedestrian-scale design in commercial areas.

Mr. Cohen provided a drawing to illustrate how the bulk of a building would be different based on a 0-foot setback versus a 15-foot setback. He explained that, with a 60-foot right of way, a 0-foot setback would result in a minimum 80-foot separation between the residential and commercial uses. The separation would be 95 feet with a 15-foot setback. He reminded the Board that, in addition to the setback, the commercial zones also require an applicant to meet the street design standards and provide frontage improvements. He pointed out that the transitional setback requirement for commercial properties that directly abut single-family zones is only 20 feet. This 20-foot setback, in addition to the required rear setback for residential development would result in a 35-foot separation. He summarized that the separation between residential and commercial development that is separated by a street would be quite large compared to the separation required between abutting commercial and residential properties.

### **Questions by the Commission**

Commissioner Scully recalled that the Commission received an email asking how many properties are already vested to the 0-foot setback. Mr. Cohen said there is only one property that is vested, the Ronald Methodist Church. Staff has also had pre-application meetings with developers of other properties that would be impacted by the setback requirement. However, these properties have not yet vested under the

current 0-foot setback. The property owners understand that the Commission and City Council are reconsidering the 0-foot setback and that changes might occur.

Chair Moss said that while working in Washington D.C. she lived in a neighborhood that 30-years ago looked very much like the Shoreline Town Center does now. The main street running through the neighborhood was a state highway, and there were opportunities for high-capacity transit. There were a number of large, single-family homes, as well as apartments that were within walking distance of the main highway. Their sidewalks were updated to be 8 to 10-feet wide to make them accessible to the majority of their residents who were over 65 years old. There were variations in grade from parcel to parcel, as well. She recalled that some of the first buildings constructed in the neighborhood were in the range of three to four stories tall, and street trees had been planted. While she walked through the neighborhood, she sometimes felt closed in and the sidewalks did not feel very pedestrian friendly.

Chair Moss said she recently listened to the audio from the City Council meeting at which the topic was discussed at great length. The issue was sent back to the Planning Commission for an open discussion and feedback from the community. She recalled that there was a great deal of community involvement when the Commission previously discussed the Town Center Subarea Plan and zoning code. Citizens repeatedly expressed concern about the character of the residential neighborhoods. They wanted to preserve this character without feeling closed in. Concern was expressed that if multi-use or high-density residential development occurred across the street, a 15-foot buffer would offer a “front porch” feel. She acknowledged that not all of the development that occurs in these commercial zones will be residential. It may be retail on the ground floor. She said she is not sure a 15-foot setback is the right answer, but she has reservations about a 0-foot setback, as well.

Chair Moss advised that the City Council discussed that perhaps the setback requirement should be based on the width of the right-of-way. As noted by staff, the minimum right-of-way width would be 60 feet. Under the old development code, a 10-foot setback was required for commercial development, and buildings could be constructed up to 65 feet without any setback requirement. She summarized that the City has made some steps forward to make the situation more comfortable. She said she is very interested in hearing from the public, emphasizing that the setback requirement would apply to all commercial properties that are located across the street from residential zones, and not just those located on Linden Avenue. She also clarified that if a 0-foot setback is allowed, it would not be required.

Mr. Cohen explained that there was a significant amount of public input regarding transitional setbacks as part of the Town Center Subarea Plan and Commercial Design Standard discussions. Residents were concerned about the setbacks in transition areas at Town Center. Similarly, citizens were very concerned about the setback requirement for all commercial zones located across the street from low-density residential. He recalled that a single proponent was looking for a reduced setback to make a project more viable, and this project is currently vested to be built. He summarized that most of the comments were brought forward by nearby residential property owners who were concerned about the potential size of the building and the lack of setbacks.

Commissioner Esselman asked about the setback plan for the vested development. Mr. Cohen said the property has been subdivided from the church and is vested under the current code, which allows for a



0-foot setback. The outline of the building provided as part of the subdivision application shows an approximate 10-foot setback. However, the setbacks could be altered as part of a development proposal.

**Public Testimony**

**Shaun Kerins, Shoreline**, said that when he originally reviewed the proposed Commercial Design Standards that were forwarded to the City Council by the Planning Commission, it included a 15-foot setback for commercial properties located across the street from low-density residential properties. The City Council subsequently changed the setback to 0. He expressed concern that, if the City adopts a 0-foot setback, the number of impacted residential properties would increase beyond the current 85. He noted that the memorandum from the Planning and Community Development Staff makes the point that the Comprehensive Plan provides support for both the 0-foot setback and the 15-foot setback.

Mr. Kerins said Council Member Hall's presentation about how great the new developments in Mountlake Terrace were led him to research the transition requirements in neighboring jurisdictions. He found that the City of Lynnwood requires a 10-foot setback in their city center. The City of Edmonds requires a 15-foot setback, and the City of Bothell requires a 10-foot setback. The City of Mountlake Terrace has a setback requirement of 20 feet in their community business district. While Council Member Hall mentioned that a 0-foot setback would be helpful for businesses, he suggested it is not the setback requirement that is driving development away from Shoreline.

Mr. Kerins suggested that the actual impact of a 0-foot setback to property owners across the street would be much greater than indicated in the illustration prepared by Council Member Hall and referenced earlier by Mr. Cohen. The people who live across the street would feel that the development is sitting on top of them. He reminded the Commission that transition was a significant concern of citizens when the Town Center Subarea Plan was adopted, and he encouraged the Commissioners to go back to the 15-foot setback that was initially adopted.

**Robin McClelland, Shoreline**, said reducing the setback might have been justified if the decision had been based on the best interest of all commercial property owners on the east side of Linden Avenue North as a benefit to any who anticipate development or redevelopment and if the City had fully explored the immediate and long-term impacts on the single-family residences across the street. However, amending the code based on a request of a single property owner to "accommodate more housing and less expensive construction costs" lacks sufficient justification. She asked the Commission to consider the big picture while deliberating the proposal. Whether or not the Commission upholds the current 0-foot setback or restores the 15-foot setback, she suggested they convene the commercial property owners and the single-family residential property owners who face the street to discuss how they would like to shape the Linden Avenue North streetscape. Not all may agree that building to the sidewalk, using an asphalt street as a buffer and installing sidewalks piecemeal are good ideas. However, some may have suggested inventive ways to transform the entire street into an integral edge. After all, the street serves all walks of life, including youth, elders, vehicles, pedestrians, and bicycles. It is a throughway for a mix of thriving businesses, strolling students, and lively neighborhoods.

Ms. McClelland questioned how a row of structures with a 0-foot setback would affect the street scene. She asked the Commission to transcend their thinking beyond zoning designations and numbers of feet

to a creative level that will enable the City to achieve its vision for a vibrant City that accommodates commercial and residential land uses across the street from each other. She asked the Commission to convert transition into a positive change instead of something the citizens must endure for the sake of growth. She asked the Commission to advance the concerns of an established, single-family neighborhood as their primary consideration whether or not they choose to reduce or increase commercial development potential along the east side of Linden Avenue North. She commented that those who live on Linden Avenue North are already invested in the City's future.

Ms. McClelland emphasized that this is a crucial opportunity to frame the discussion on real and significant changes around the edge of Town Center and its impact on the neighborhoods. She asked the Commission to please give thoughtful consideration to the long-term implications of their recommendation.

**Michelle Dotsch, Edmonds**, said she currently owns property that fronts Linden Avenue North. The property is within the transition area and Town Center. She said she wears two hats when commenting on the setback requirement for commercially-zoned properties located across the street from low-density residential zones. As a business owner, with a dental practice that has been in its present location since 1974 and is now in its second generation, she supported the adoption of the Town Center Subarea Plan and its vision for the blending of business and residential areas into a vibrant community. She said she is alarmed that the Shoreline City Council was so quick to adopt a new setback rule that affects the residential and commercial lots on both sides of the entire length of Linden Avenue North.

Ms. Dotsch asked the Commission if the decision was based on a request by a single property owner to have the setback requirement reduced. She also asked if the City had received other requests for a 0-foot setback for new construction in Town Center across from single-family zones prior to the City Council's decision to change the setback from 15 to 0 feet. She asked if any other property owner has applied for a permit since the City Council adopted the 0-foot setback requirement. She said that, to her knowledge, the Ronald Commons Project is the first and only application for new development accepted under the Town Center code. Although she is not an attorney or a planner, she said the situation looks and feels a lot like spot zoning.

As a commercial property owner adjacent to the Ronald Commons Project, Ms. Dotsch questioned if she or the adjacent property owner would also be allowed to tweak the zoning on their properties to accommodate a larger project than the current zoning allows. She questioned what specific codes a property owner could ask to change to increase a site's development potential and reduce construction costs, which is what necessitate the City Council's change in setback for one particular project. She suggested that the City has set a precedent that it is important to change the existing Town Center codes to benefit higher density commercial or mixed-use properties within the Town Center. As a future developer of her commercial property, Ms. Dotsch suggested that if the setback is changed back to 15 feet, it is truly only a width of a hair that separates the previous decision from being a spot zoning decision. She asked if she would get the same opportunity when she redevelops her parcel.

**Tara Ashton, Shoreline**, said she was not part of the original public process regarding setbacks in transition zones, as her attention was directed towards her board position on Save Richmond Beach. She asked if the 15-foot setback was an amount that constituents settled for or asked for. She said her

understanding is that constituents gave public comment, which resulted in the 15-foot setback. She thanked Mr. Kerins for bringing this issue to her attention by posting on the community message board titled Next Door Richmond Beach. Rather than permanently changing the setback for commercial properties to 0, she would like the City to either honor the 15-foot setback or begin the slow the process of ample public notice and comment again.

**Kathleen Gillette, Shoreline**, encouraged the Commission to go back to the 15-foot setback requirement, or at least a minimum 10-foot setback. The goal is to have a City that is livable long term, and cramming buildings right up to the sidewalk is going to be uncomfortable for the humans who live in the neighborhood.

**Lisa Surowiec, Shoreline**, expressed her belief that anytime there is commercial development across the street from residential development, it will feel the same regardless of the location. Although she is more familiar with the Linden Avenue North situation, she cannot imagine it would feel different anywhere else. She reminded the Commission that the community worked hard with the City to create the Town Center Subarea Plan and zoning code, and some fantastic photographs were provided to illustrate what the potential commercial development would look like. She does not remember any photographs of tall buildings located right up to the sidewalk. If so, she would have voted against it.

Ms. Surowiec summarized that the setback change did not come about because the citizens did not participate in the process. The community trusted that the Town Center zoning would remain in place, that the Planning Commission would make good choices, and that the City Council would accept what the Planning Commission recommended. The Commission does good work, and they made a good decision with the 15-foot setback. She noted that one reason given to support the reduced setback was to make it easier for developers to know the requirements. She expressed her belief that developers are much smarter than that. They should expect that the zoning requirements will be different when commercial properties are located across the street from residential properties. She agreed that a 0-foot setback would create more development potential and greater revenue for the City. However, it is not fair to expect greater revenue at the expense of residential property owners. The residential properties are small homes that provide great locations to raise families. If the City allows taller buildings up to the sidewalk, the character of the neighborhood will change and people will move away.

Chair Moss noted the presence of Council Members Eggen and McConnell in the audience.

### **Final Questions and Deliberations**

Commissioner Scully noted that there is currently no flexibility in the transition area standards, which is something he would like the Commission to address at a future meeting. He explained that a 0-foot setback would make sense on some parcels, such as the corner of 155<sup>th</sup> and Aurora Avenue North where there are nine lanes of traffic between the commercial development and the residentially-zoned properties across the street. There are likely some designs that residential neighborhoods could probably live with that included a less than 15-foot setback. Right now, the choice before the Commission is either 0, 15 or some other specific setback number. He would like the City to adopt standards so that some exceptions could be allowed. Since that is not currently an option, he supports maintaining the Commission's original recommendation for a 15-foot setback. He pointed out that Broadway Avenue in

Seattle is a good example of 3-story development with a 0-foot setback and step backs. The visual impact is imposing.

Commissioner Scully reminded the Commission that the City will be asking its residents to accept a lot more density in conjunction with station area planning. This needs to be done in a manner that the citizens trust the City will stick to its word and maintain the adopted standards. It must also be done in a manner that accepts the fact that most people do not want to live right next to a high-density area. Given the character of the properties within the transition areas, he does not see how a 0-foot setback would make sense.

Commissioner Craft agreed with Commissioner Scully. He said it is disheartening to see this issue come forward again. He recalled that the Commission made an attempt to address the challenges facing developers of affordable housing, but his concerns remain the same. He does not believe a 0-foot setback for commercial properties located across the street from residential zones would be appropriate. He expressed his belief that the communication process involved in creating greater densities in the community and getting the citizenry to understand and accept the changes will require open and deliberate debate, which did not happen in this process. While advocating for affordable housing is one of the City's goals, the process by which the project on Linden Avenue North has now been vested is a detriment to future opportunities for affordable housing in the community. He anticipates that a number of concerns will be raised that might not have come up if the situation had been handled in a different manner.

Commissioner Craft also agreed with Commissioner Scully that he would like to the transition standards to be more flexible to meet the circumstances of individual parcels. However, that option is not available to the Commission at this time. He expressed his belief that the Commission should stick with their original recommendation of a 15-foot setback.

Vice Chair Esselman agreed with Commissioners Scully and Craft. She recalled that when the Ronald Commons Project came before them, she felt that the Commission was not in a situation where they could change the setback requirement because the public had not been adequately notified. She specifically referred to the lengthy public process for the Town Center Subarea Plan and zoning code. She said she is not necessarily opposed to a setback reduction, but the change should not occur without adequate opportunity for the public to participate in the process.

As a professional architect in urban settings, Vice Chair Esselman pointed out that sometimes a 0-foot setback can create a vibrant street. Whether this is the case for commercial properties across the street from single-family residential zones is another issue. She expressed concern that a 15-foot setback could result in some dead zones that are unsafe. While she does not know what the appropriate setback should be, any change should involve a public process.

Commissioner Maul agreed with the comments made by his fellow Commissioners. There are places where less setback would be very appropriate and probably better. However, given the Commission's current options, he agreed they should stick with the 15-foot setback as originally proposed. He reminded the Commission that the variance process would allow an applicant to address individual circumstances.

Vice Chair Esselman expressed her belief that if evidence supports that a 15-foot setback would not allow development to happen, the Commission should consider reducing the setback to perhaps 10 feet. Commissioner Craft agreed that this analysis needs to occur. While a 15-foot setback might be appropriate for some parcels in the City, on other parcels a lesser setback might be better. However, the Commission does not have enough information at this point to create more flexible setback requirements for transition areas. Until they receive this additional information, he supports the 15-foot setback requirement.

Chair Moss summarized that the purpose of consolidating the eight different commercial zones into four commercial zones was to provide clarity and create consistency and predictability for developers. Mr. Cohen also pointed out that three of the eight commercial zones were duplicates of existing zones, which was an easy fix. He clarified that while the design standards for the various commercial zones were very similar, the dimensional standards were different. He explained that the dimensional standards (setbacks, heights, lot coverage, etc.) determine the size and bulk of a development. Rather than using density to limit the size of a building, the size of a building is now limited by the height and bulk standards. The dimensional standards identify a 0-foot setback for commercial zones, but properties in transition areas have more stringent requirements, and exemption from a dimensional standard requires a zoning variance.

**Vote to Recommend Approval or Denial or Modification**

**COMMISSIONER SCULLY MOVED THAT THE COMMISSION MAINTAIN THEIR RECOMMENDATION FOR A 15-FOOT SETBACK IN THE TRANSITION AREA WHERE COMMERCIALY-ZONED PROPERTIES ARE LOCATED ACROSS THE STREET FROM LOW-DENSITY RESIDENTIAL ZONES. COMMISSIONER CRAFT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**Closure of Public Hearing**

Chair Moss closed the public hearing.

**STUDY ITEMS – DISCUSSION OF RECREATIONAL MARIJUANA REGULATIONS**

Mr. Cohen reported that on September 23<sup>rd</sup> the City Council decided to postpone further discussion of recreational marijuana regulations until the State Legislature has addressed the issue further and provided more direction. He said the City Council came to the understanding that the potential for recreational marijuana outlets in Shoreline is very small based on the zoning map and the distance required between a number of uses such as daycares, schools, churches, parks, etc. In addition, the State has now allocated the number of retail outlets that will be allowed per jurisdictions, and Shoreline has been assigned two. Operators of the six existing collective gardens in the City could convert their use by reapplying through the State. The City Council did not feel an urgency to rush ahead at this point.

**DIRECTOR'S REPORT**

Mr. Cohen announced that staff attended a number of sessions at the American Planning Association of Washington Conference on October 9<sup>th</sup> and 10<sup>th</sup>. Commissioner Moss attended, as well.

Mr. Szafran provided a brief update on light rail station area planning. He announced that design dialogue workshops are scheduled for November 5<sup>th</sup> and 6<sup>th</sup>. During these sessions, identified stakeholders will meet with the consultant to discuss actual design of the corridors, transition, needs and wants of the community, etc. The consultant will conduct a community open house shortly after to review the issues that were discussed at the two workshops. Staff considered having a separate design dialogue workshop for the Planning Commission. However, because the plan will eventually come before the Commission for review, it might create a conflict of interest. He noted that the design dialogue workshops will also be open to the public, and Planning Commissioners are invited to attend, as well.

Chair Moss encouraged the Commissioners to be mindful of the Open Public Meetings Act requirements and coordinate their attendance so there is not a quorum present at any one workshop. Mr. Cohen agreed to email notice of the meetings to the Commissioners via Plancom.

### **UNFINISHED BUSINESS**

No unfinished business was scheduled on the agenda.

### **NEW BUSINESS**

There was no new business on the agenda.

### **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

Chair Moss reported that she attended the American Planning Association of Washington's Conference, which she found very interesting. She particularly reported on her attendance at a session regarding recreational marijuana legislation where she learned that additional information from the State Legislature will be forthcoming. She also reported on a session regarding zoning and design standards, where a planning director discussed the concept of flexibility. While she understands the need for clarity and predictability, the planning director explained how his city has straightforward guidelines for when setbacks can be varied. For example, the planning director has the discretion to change the setback requirement to accommodate a significant tree.

Chair Moss pointed out that, currently, there are no regulations for trees in commercial zones, and there are some very significant trees within the Community Renewal Area, which consists entirely of commercial property. She suggested that, at some point, the City should consider the concept of creating tree regulations for commercial properties, and this issue might be most appropriately addressed by the City's Tree Board first. Any proposed development code amendments would come before the Planning Commission. She asked staff to consider this idea and share their perspective with the Commission.

Chair Moss announced that the City Manager, Julie Underwood, has resigned. The City is currently looking for a new City Manager.

**AGENDA FOR NEXT MEETING**

Mr. Szafran said the October 17<sup>th</sup> agenda was originally scheduled as a study session on regulations for recreational marijuana, and the next scheduled agenda item is November 21<sup>st</sup>.

Chair Moss suggested the Commission schedule a retreat for one of the free meetings in October or November. Mr. Szafran questioned if staff would have sufficient time to prepare for a retreat in just two weeks. Chair Moss suggested the retreat could be used to brainstorm ideas for the Commission's 2014 Work Program. She said the discussion would not require significant staff preparation or packets of information.

The Commission agreed to hold a retreat on either October 17<sup>th</sup> or November 7<sup>th</sup>. They directed staff to prepare a list of potential agenda topics that includes items the Commission has previously identified for discussion, as well as the list of work items presented to the City Council earlier in 2013. The Commissioners could forward potential discussion items to staff for inclusion on the list, as well.

**ADJOURNMENT**

The meeting was adjourned at 8:52 p.m.

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Donna Moss  
Chair, Planning Commission

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Lisa Basher  
Clerk, Planning Commission

**TIME STAMP  
October 3, 2013**

**CALL TO ORDER: 0:30**

**ROLL CALL: 0:40**

**APPROVAL OF AGENDA: 1:05**

**APPROVAL OF MINUTES: 1:38**

**GENERAL PUBLIC COMMENT: 1:43**

**PUBLIC HEARING: RECONSIDERATION OF TRANSITION AREA SETBACK  
AMENDMENT: 7:01**

**Staff Presentation: 10:25**

**Questions by the Commission: 18:30**

**Public Testimony: 29:30**

**Final Questions and Deliberations: 48:33**

**Vote to Recommend Approval or Denial or Modification: 1:01:54**

**Closure of Public Hearing: 1:02:29**

**STUDY ITEM: DISCUSSION OF RECREATIONAL MARIJUANA REGULATIONS: 1:02:45**

**DIRECTOR'S REPORT: 1:04:52**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 1:10:37**

**AGENDA FOR NEXT MEETING: 1:14:21**

**ADJOURNMENT: 1:34:34**



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 Planning Commission Meeting Date: November 21, 2013
 

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 Agenda Item
 

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**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b> Planning Commission Retreat Update		
<b>DEPARTMENT:</b> Planning & Community Development		
<b>PRESENTED BY:</b> Paul Cohen, Planning Manager Steven Szafran, AICP, Senior Planner		
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only
<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Update	<input type="checkbox"/> Other

**INTRODUCTION**

On October 25<sup>th</sup> the Planning Commission, along with City Staff, held a "mini-retreat" to discuss the upcoming Planning Commission retreat in spring 2014. Staff would like to report back to the Commission on the topics discussed and to inform the rest of the Commission who were unable to attend the Bullitt Center tour and follow-up discussion.

**BACKGROUND**

The Planning Commission typically holds a retreat every 1-2 years. The Planning Commission last held a retreat on May 19, 2011. The focus of that retreat, like most retreats from the past 10 years, has focused on:

- Planning Commission working relationship and expectations with themselves and staff;
- Interactions with the public;
- Planning Commission accomplishments;
- Council Goals review; and
- Planning & Community Development Workplans

The Planning Commission generated ideas for the full spring retreat as well as the orientation for new Commissioners.

**2014 RETREAT PLANNING MEETING NOTES**

*Chair Moss, Commissioner Maul, Commissioner Montero, Commissioner Scully*  
Consensus was that it would be better to hold a retreat in May after new Commissioner(s) are selected and the Commission has had a chance to meet a few times. The new Commissioner(s) can then develop a context and better know what their questions are at the retreat. Their orientation would occur in April between the commissioner appointments in March and the full retreat in May.

**Orientation** Ideas for new Commissioners:

Approved By:

Project Manager *PLC*  
*for*  
*SS*

Planning Director

*PLC*  
*for*  
*RM*

- Parliamentary procedures are very helpful for commissioner(s) but not necessary for returning Commissioners. This can be done individually and online.
- More detailed info on current issues such as Point Wells, cottage housing, Ronald Wastewater, marijuana, etc.
- Planning 101- Robin McClelland / APA.
- PCD organization chart with staff pictures.

**Retreat Ideas for all Commissioners:**

- Communication Training:
  - Interaction Styles & Temperament, Marci Wright – Human Resources Director
  - Guiding public comments when contentious, or when the commenter addresses the staff
- Ice breaker.
- Presentation on planning for demographic changes.
- Community Renewal Area Presentation by Dan Eernisse.
- Feedback for staff: what is working, what is not working, and staff roles.
- Ideas on what to do when there is not an agenda item.
- Meet and introduce all Planning Staff.
- Developing planning topics and issues to possibly recommend new City goals in fall 2014.
- Development of PCD Workplans.
- Retreat locations – not discussed.
- Detailed overview of legislative documents and concepts that come up such as:
  - Comprehensive plan, Master plan, development code, zoning code, permitting processes, etc

**RECOMMENDATION**

Staff is asking for direction to begin work on the orientation and retreat in 2014.